IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

Crl.Rev.Pet.No. 2925 of 2004(A)

CRA.18/2003 of ADDL.SESSIONS COURT, N.PARAVUR
CC.391/1999 of JUDL.MAGISTRATE OF FIRST CLASS-I, ALUVA

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REVN. PETITIONER: APPELLANT/ACCUSED

CHANDRAN, S/O.NARAYANAN NAIR,
MULLAKKAL HOUSE, KANINAD KARA,
PUTHENCRUZE VILLAGE, KANNATHUNADU TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.P.M.RAFIQ

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. P.A.VARGHESE, S/O.ANTONY,
PALAPRAMBIL (CHAKKALAKKAL) HOUSE,
KEEZHNAD KARA, ALUVA EAST VILLAGE,
ALUVA TALUK.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.V.S.CHANDRASEKHARAN
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2925 of 2004

Dated this the 11th day of June, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for nine months and to pay a compensation of Rs.80,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for four months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court-I, Aluva on 10.12.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 10.12.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl